

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Werner, et al.
Appl. No.	:	10/035,836
Filed	:	December 21, 2001
For	:	SURFACE ASSEMBLY FOR IMMOBILIZING DNA CAPTURE PROBES AND BEAD-BASED ASSAY INCLUDING OPTICAL BIO-DISCS AND METHODS RELATING THERETO
Examiner	:	Forman, Betty J.
Group Art Unit	:	1634

**RESPONSE TO OFFICE COMMUNICATION****Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby respond to the Office Communication mailed September 26, 2006. In the Office Communication, the Examiner states that Applicants' Amendment and Response filed August 16, 2006 is not fully responsive to the Office Action of February 17, 2006. Specifically, the Examiner asserts that the response fails to address the obviousness-type double patenting rejection. Applicants submit herewith a replacement Amendment and Response. The replacement Amendment and Response includes Applicants' response to the obviousness-type double patenting rejection, and is identical in all other aspects to the response filed August 16, 2006.

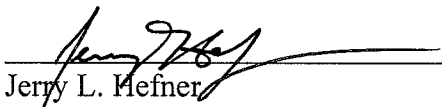
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Applicants do not believe any fees are due at this time, however, if any fees are due, including any fees for additional extension of time, or credit for overpayment is due, please charge or credit Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: October 26, 2006

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